

EXHIBIT “M”

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1 conclusion and lacks foundation.
2 MR. BERMAN: Joining Mr. Littlewood's
3 objection. Also assumes facts not in evidence.
4 THE WITNESS: No, it's mine. The name of
5 Los Originales.
6 BY MR. BEGAKIS:
7 Q. How many members were there in the band when the
8 band was formed?
9 A. Five.
10 Q. Who were they?
11 A. Jose Torres, Jose Humberto Castro, Domingo
12 Torres, and Jesus Chavez.
13 Q. Was there a written agreement between you and the
14 other band members when you formed the band?
15 A. No.
16 MR. BERMAN: Objection. Lacks foundation.
17 Calls for a legal conclusion and vague.
18 BY MR. BEGAKIS:
19 Q. Did you have any written agreement with any of
20 the band members at the time the band was formed?
21 MR. BERMAN: Same objections.
22 MR. LITTLEWOOD: Join.
23 THE WITNESS: No.
24 BY MR. BEGAKIS:
25 Q. Why not?

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1 MR. BERMAN: Objection. Calls for
2 speculation. Maybe, Ms. Translator, if you can instruct
3 the witness maybe pause for a moment before answering
4 because counsel may interpose objections. Thank you.
5 THE INTERPRETER: Interpreter will ask the
6 witness to repeat his answer.
7 MR. LITTLEWOOD: Before he testifies, I'm
8 objecting on the grounds of lacks foundation. Calls for
9 speculation. Assumes facts not in evidence.
10 THE WITNESS: All right.
11 MR. BEGAKIS: I didn't get his original
12 answer.
13 MR. LITTLEWOOD: It may be helpful if you
14 restate the question with the understanding the
15 objection stands.
16 MR. BEGAKIS: I wanted the original answer
17 but there was a lot of crosstalk so I'll ask it again.
18 BY MR. BEGAKIS:
19 Q. Why did you not have written agreements with any
20 of the band members at the time the band was formed?
21 MR. BERMAN: Objection. Calls for
22 speculation. Legal conclusion and vague.
23 THE WITNESS: We were friends. There was
24 trust.
25 ///

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1 BY MR. BEGAKIS:
2 Q. When the band was formed how were band decisions
3 made?
4 MR. BERMAN: Objection. Vague.
5 THE WITNESS: I was the one who gave it the
6 name.
7 BY MR. BEGAKIS:
8 Q. And how were all other band decisions made
9 between the members?
10 MR. BERMAN: Objection. Vague.
11 THE WITNESS: I made all of the decisions
12 myself.
13 BY MR. BEGAKIS:
14 Q. Mr. Chavez, do you play an instrument in the
15 band?
16 THE INTERPRETER: Interpreter needs a moment
17 to search for a term.
18 THE WITNESS: The bajo sexto.
19 THE INTERPRETER: The interpreter's
20 spelling. B-a-j-o s-e-x-t-o.
21 BY MR. BEGAKIS:
22 Q. Mr. Chavez, are you the lead vocalist of the
23 band?
24 MR. LITTLEWOOD: Objection. Vague as to
25 time.

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1 MR. BEGAKIS: I'll withdraw the question.
2 BY MR. BEGAKIS:
3 Q. When the band was first formed, were you the lead
4 vocalist?
5 A. Yes.
6 Q. When the band was formed -- withdraw. Please
7 identify the instruments played by each of the band
8 members when the band was formed, Mr. Chavez.
9 A. Jose Torres, percussion. Jose Humberto,
10 electronic bass. Domingo Torres, accordion. And Jesus
11 Chavez, the bajo sexto.
12 Q. Mr. Chavez, did the band record -- withdraw.
13 Mr. Chavez, do you know what Hyphy Music is?
14 MR. BERMAN: Objection. Vague.
15 THE WITNESS: It's a music production
16 company.
17 BY MR. BEGAKIS:
18 Q. Have you recorded albums at the direction of
19 Hyphy Music?
20 MR. BERMAN: Objection --
21 MR. LITTLEWOOD: Objection. Vague.
22 Ambiguous. Lacks foundation.
23 MR. BERMAN: Objection. Also vague. Calls
24 for a legal conclusion.
25 THE WITNESS: Not under its direction.

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1 BY MR. BEGAKIS:
2 Q. What have you recorded -- what albums have you
3 recorded that Hyphy Music has been involved with?
4 MR. BERMAN: Objection. Form. Phrase
5 involved with also lacks foundation.
6 MR. LITTLEWOOD: Join.
7 THE INTERPRETER: Interpreter needs to
8 inquire for clarification of the witness.
9 THE WITNESS: Poca M Corridos.
10 THE INTERPRETER: Interpreter's spelling,
11 P-o-c-a letter M. Corridos. Interpreter's spelling,
12 Corridos.
13 THE WITNESS: And some others.
14 BY MR. BEGAKIS:
15 Q. Did Hyphy Music pay you to record Corridos de
16 Poca M and these other albums you're referring to?
17 MR. BERMAN: Objection. Vague. Misleading.
18 Mischaracterization. Lack of foundation.
19 THE WITNESS: No.
20 BY MR. BEGAKIS:
21 Q. Just to get clarification is it correct,
22 Mr. Chavez, that you recorded the following works with
23 Hyphy Music; Amigos y Contreros, Corrido de Poca M,
24 Desde la Cantina de Mi Barrio en vivo, El Campesino,
25 Chuy Chavez Y Sus Amigos --

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1 THE INTERPRETER: Mr. Begakis, could I have
2 that slower, please. I have Desde la Cantina. That's
3 where I left off.
4 MR. BEGAKIS: Desde la Cantina de Mi Barrio,
5 en vivo, El Campesino, Chuy Chavez y sus Amigos, Naci
6 Con Suerte De Rey, Mariachi and Nuestra Historia.
7 MR. LITTLEWOOD: I'll object on the grounds
8 this is compound and the language could be confusing.
9 MR. BERMAN: Lack of foundation. Assumes
10 facts not in evidence.
11 MR. BEGAKIS: I'll withdraw then. We'll go
12 one by one.
13 BY MR. BEGAKIS:
14 Q. Mr. Chavez, did you record Amigos y Contreros
15 with Hyphy Music?
16 MR. BERMAN: Objection. Vague.
17 THE WITNESS: Yes.
18 BY MR. BEGAKIS:
19 Q. When did you record Amigos y Contreros with Hyphy
20 Music?
21 MR. BERMAN: Objection to form. And vague.
22 THE WITNESS: I don't remember. Some four
23 years already.
24 BY MR. BEGAKIS:
25 Q. Who were the band members that participated in

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1 the recording of Amigos y Contreros?
2 A. The original ones.
3 Q. Yes. You can answer, Mr. Chavez.
4 A. Jose Los Inquieeos del Norte.
5 THE INTERPRETER: Interpreter's spelling;
6 Los, L-o-s I-n-q-u-i-e-e-o-s, del, d-e-l N-o-r-t-e.
7 BY MR. BEGAKIS:
8 Q. Where did you record Amigos y Contreros?
9 A. At the Los Rios Studio.
10 THE INTERPRETER: Interpreter's spelling;
11 L-o-s R-i-o-s Studio.
12 BY MR. BEGAKIS:
13 Q. Who was the recording engineer when Amigos y
14 Contreros was recorded?
15 A. Omar Rosales.
16 Q. Did you pay Mr. Rosales to record the album?
17 A. Yes.
18 Q. How much?
19 A. I don't remember exactly.
20 Q. Did you pay each of the band members to record
21 the album?
22 MR. BERMAN: Objection. Vague.
23 THE WITNESS: Yes.
24 BY MR. BEGAKIS:
25 Q. How much did you pay each of the band members to

Page 21

1 record Amigos y Contreros?
2 MR. BERMAN: Objection. Vague.
3 THE WITNESS: There was an agreement within
4 the group --
5 THE INTERPRETER: Interpreter needs to
6 request a repetition.
7 THE WITNESS: There was an agreement that it
8 was going to be included within the weekly salary.
9 BY MR. BEGAKIS:
10 Q. So the cost of the performance by each performer
11 was included in each performer's weekly salary; is that
12 what you're --
13 MR. BERMAN: Objection. Vague. Misleading.
14 Mischaracterization of testimony and speculation.
15 MR. LITTLEWOOD: Join.
16 THE WITNESS: That's right.
17 BY MR. BEGAKIS:
18 Q. How much did each of the band members receive as
19 a weekly salary in 2013?
20 MR. BERMAN: Objection. Vague.
21 Mischaracterization of testimony and form.
22 MR. LITTLEWOOD: Join.
23 THE WITNESS: It depended on what we made
24 per night.
25 ///

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1 Poca M was recorded?

2 A. Alfonso Vargas, percussion. Romeo Pena, bajo

3 sexto -- electric base. Domingo Torres at the

4 accordion.

5 Q. Did you pay any of these band members for their

6 contributions to the recording of Corrido de Poca M?

7 MR. LITTLEWOOD: Objection. Vague and

8 ambiguous. Lacks foundation. Assumes facts not in

9 evidence.

10 MR. BERMAN: Join.

11 THE WITNESS: No.

12 BY MR. BEGAKIS:

13 Q. Were they compensated by way of a weekly salary

14 as you testified you compensated the band members for

15 the recording of Amigos y Contreros?

16 MR. LITTLEWOOD: Objection. Assumes facts.

17 Lacks foundation. Misstates testimony. Vague and

18 ambiguous.

19 MR. BERMAN: Compound question. Join.

20 THE WITNESS: That's right.

21 BY MR. BEGAKIS:

22 Q. Where did you -- where did the band record

23 Corrido de Poca M?

24 A. At Moreo Studio.

25 Q. Who was the recording engineer when Corrido de

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1 Poca M was recorded?

2 A. Omar Rosales.

3 Q. Did you pay Omar Rosales for his work as the

4 recording engineer?

5 A. Yes.

6 Q. How much?

7 A. I don't remember what he charged back then. It

8 would vary.

9 Q. Did you have a written agreement with Omar

10 Rosales regarding his work as the recording engineer on

11 the recording of Corrido de Poca M?

12 A. No.

13 Q. Did you have a written agreement with any of the

14 band members regarding their contribution with the

15 recordings of Corrido de Poca M?

16 MR. LITTLEWOOD: Objection. Assumes facts

17 not in evidence. Lacks foundation. Vague and

18 ambiguous.

19 MR. BERMAN: Join.

20 THE WITNESS: No.

21 BY MR. BEGAKIS:

22 Q. Did Hyphy Music pay you anything for the

23 recording of Corrido de Poca M?

24 A. No.

25 Q. Did Hyphy Music ultimately distribute Corrido de

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1 Poca M?

2 A. Yes.

3 Q. How did Hyphy Music acquire the ability or the

4 rights to distribute Corrido de Poca M?

5 MR. BERMAN: Objection to form. Vague and

6 ambiguous.

7 MR. LITTLEWOOD: Join.

8 THE WITNESS: I gave them the right.

9 BY MR. BEGAKIS:

10 Q. Did they pay you anything of value or give you

11 anything of value in exchange for you giving them the

12 rights to distribute Corrido de Poca M?

13 A. No. They were going to give me a percentage of

14 the sales.

15 Q. Did Hyphy Music contribute anything to the

16 recording of Corrido de Poca M?

17 MR. LITTLEWOOD: Objection. Vague and

18 ambiguous. Lacks foundation. Calls for legal

19 conclusion.

20 MR. BERMAN: Join.

21 THE WITNESS: No.

22 BY MR. BEGAKIS:

23 Q. Did Hyphy Music contribute anything to the

24 creation of Amigos y Contreros?

25 MR. LITTLEWOOD: Objection. Lacks

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1 foundation. Calls for a legal conclusion. Assumes

2 facts not in evidence.

3 MR. BERMAN: Join.

4 THE WITNESS: No.

5 BY MR. BEGAKIS:

6 Q. Did the band record the album El Campesino with

7 Hyphy Music?

8 MR. BERMAN: Objection. Form. Vague.

9 Misleading. Lacks foundation.

10 THE WITNESS: No.

11 BY MR. BEGAKIS:

12 Q. When did the band record El Campesino?

13 A. I don't remember.

14 Q. Who were the members of the band at the time --

15 withdraw. Who were the members in the band involved in

16 recording the album El Campesino?

17 A. Alfonso Vargas for percussion. Romeo Pena, bajo

18 sexto. Antonio Rios, electric base. And Domingo

19 Torres, the accordion.

20 Q. Did you have written agreements -- withdraw. Did

21 you have written agreements with any of these band

22 members for their contributions for the recording of El

23 Campesino?

24 MR. LITTLEWOOD: Objection. Vague and

25 ambiguous. Lacks foundation. Calls for a legal

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1 conclusion. Assumes facts not in evidence.
2 THE WITNESS: No.
3 BY MR. BEGAKIS:
4 Q. Where did the band record El Campesino?
5 A. In Selma.
6 Q. Is that in California?
7 A. Yes.
8 Q. Do you remember the name of the recording studio?
9 A. Morios Studio.
10 Q. Who was the recording engineer when El Campesino
11 was recorded?
12 A. Omar Rosales.
13 Q. Did you pay Omar Rosales for his work as the
14 recording engineer on the recording of El Campesino?
15 A. Yes.
16 Q. How much?
17 A. I don't remember.
18 Q. Do you have anything in writing with Mr. Rosales
19 regarding his work as the recording engineer on El
20 Campesino?
21 MR. BERMAN: Objection to form. Vague and
22 ambiguous.
23 THE WITNESS: No.
24 BY MR. BEGAKIS:
25 Q. Did you pay any of the band members for their

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1 contributions for the recording of El Campesino?
2 MR. LITTLEWOOD: Objection. Vague and
3 ambiguous. Lacks foundation. Assumes facts not in
4 evidence.
5 MR. BERMAN: Join.
6 THE WITNESS: No.
7 BY MR. BEGAKIS:
8 Q. Were the band members paid by way of a weekly
9 salary, which you testified was how they were
10 compensated for the recording of Corrido de Poca M and
11 Amigos y Contreros?
12 MR. LITTLEWOOD: Objection. Vague and
13 ambiguous. Compound. Misstates prior testimony.
14 Assumes facts not in evidence. Lacks foundation.
15 MR. BERMAN: Vague. Form. And join.
16 THE WITNESS: Yes, that's right.
17 BY MR. BEGAKIS:
18 Q. Did Hyphy Music pay you to record El Campesino?
19 A. No.
20 Q. Did Hyphy Music distribute El Campesino?
21 A. Yes.
22 Q. How did Hyphy Music obtain the rights to
23 distribute El Campesino?
24 A. I gave them the rights.
25 Q. In exchange for what?

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1 MR. LITTLEWOOD: Objection. Assumes facts.
2 THE WITNESS: In exchange for a percentage
3 of the profit.
4 BY MR. BEGAKIS:
5 Q. Was this agreement with Hyphy Music in writing?
6 A. No.
7 Q. Did Hyphy Music contribute anything to the
8 creation of El Campesino?
9 MR. LITTLEWOOD: Objection. Vague and
10 ambiguous. Lacks foundation. Calls for a legal
11 conclusion. Assumes facts.
12 MR. BERMAN: Calls for speculation and form
13 as well.
14 THE WITNESS: No.
15 BY MR. BEGAKIS:
16 Q. Did you record Desde la Cantina de Mi Barrio with
17 Hyphy Music?
18 MR. LITTLEWOOD: Assumes facts. Lacks
19 foundation. Calls for speculation.
20 THE WITNESS: Yes.
21 BY MR. BEGAKIS:
22 Q. When did the band record Desde la Cantina de Mi
23 Barrio?
24 A. I don't remember.
25 Q. Who were the band members involved in the

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1 recording of Desde la Cantina de Mi Barrio?
2 A. Alfonso Vargas, Romero Pena, Antonio Rios and
3 Jesus Chavez.
4 Q. Did you have written agreements with any of the
5 band members regarding their contributions to Desde la
6 Cantina de Mi Barrio?
7 MR. LITTLEWOOD: Objection. Vague and
8 ambiguous. Lacks foundation. Assumes facts not in
9 evidence. Calls for a legal conclusion.
10 THE WITNESS: No.
11 BY MR. BEGAKIS:
12 Q. Did you pay the band members anything for their
13 contributions of the recording for Desde la Cantina de
14 Mi Barrio?
15 MR. LITTLEWOOD: Same objections.
16 THE WITNESS: No.
17 BY MR. BEGAKIS:
18 Q. Were the band members compensated by way of a
19 weekly salary the same way you testified that the band
20 members were compensated for their contributions to El
21 Campesino, Corrido de Poca M and Amigos y Contreros?
22 MR. LITTLEWOOD: Objection. Vague and
23 ambiguous. Lacks foundation. Calls for speculation.
24 Calls for a legal conclusion.
25 MR. BERMAN: Join.

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1 THE WITNESS: That's right.

2 BY MR. BEGAKIS:

3 Q. Where did you record -- where did the band record

4 Desde la Cantina de Mi Barrio?

5 THE INTERPRETER: The interpreter needs to

6 request a repetition.

7 THE WITNESS: At Altos here in Fresno.

8 BY MR. BEGAKIS:

9 Q. Is that a recording studio?

10 A. No. It's a nightclub.

11 Q. Who was the recording engineer?

12 A. Joaquim Pererira.

13 Q. Did you pay Mr. Pererira for in his capacity as

14 the recording engineer for the recording of Desde la

15 Cantina de Mi Barrio?

16 A. Yes.

17 Q. How much did you pay him?

18 A. \$500.

19 Q. Did you pay him in cash or by check?

20 A. In cash.

21 Q. Is there any written agreement evidencing his

22 involvement as the recording engineer for the recording

23 of Desde la Cantina de Mi Barrio?

24 MR. LITTLEWOOD: Objection. Vague and ambiguous.

25 MR. BERMAN: Join.

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1 THE WITNESS: No.

2 BY MR. BEGAKIS:

3 Q. Is it true that there was an individual named

4 Jesus Ramirez, who was also operating as a recording

5 engineer or was operating as a recording engineer for

6 the recording of Desde la Cantina de Mi Barrio?

7 MR. LITTLEWOOD: Objection. Compound.

8 Assumes facts not in evidence. Argumentative.

9 MR. BERMAN: Join.

10 THE WITNESS: I don't know him.

11 BY MR. BEGAKIS:

12 Q. Did Hyphy Music pay you anything for the

13 recording of Desde la Cantina de Mi Barrio?

14 MR. BERMAN: Objection. Vague.

15 THE WITNESS: My group was paid, Los

16 Originales for playing that night at the nightclub.

17 BY MR. BEGAKIS:

18 Q. By Hyphy Music?

19 MR. BERMAN: Objection. Vague. Confusing.

20 Assumes facts not in evidence.

21 THE WITNESS: Yes.

22 BY MR. BEGAKIS:

23 Q. Who paid the venue?

24 MR. LITTLEWOOD: Objection. Calls for

25 speculation.

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1 MR. BERMAN: Relevancy. Please add

2 relevancy to the objection.

3 THE WITNESS: No one.

4 BY MR. BEGAKIS:

5 Q. Venue was not paid to have Desde la Cantina de Mi

6 Barrio recorded there?

7 MR. BERMAN: Objection. Asked and answered.

8 THE INTERPRETER: Interpreter will ask for

9 repetition.

10 THE WITNESS: I did not pay them.

11 BY MR. BEGAKIS:

12 Q. Do you know if anybody paid them?

13 MR. BERMAN: Objection. Relevancy.

14 MR. LITTLEWOOD: Objection. Vague.

15 THE WITNESS: I don't know.

16 BY MR. BEGAKIS:

17 Q. Did Hyphy Music ultimately distribute Desde la

18 Cantina de Mi Barrio?

19 A. Yes.

20 Q. How did Hyphy Music acquire the right to

21 distribute Desde la Cantina de Mi Barrio?

22 A. I gave them the rights.

23 Q. In exchange for what?

24 A. A percentage after sales.

25 Q. What percent?

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1 A. 75 percent.

2 Q. Was this agreement with Hyphy Music in writing?

3 A. No.

4 Q. Did you record Nuestra Historia with Hyphy Music?

5 MR. LITTLEWOOD: Objection. Vague and

6 ambiguous. Lacks foundation.

7 MR. BERMAN: Join.

8 THE WITNESS: No.

9 BY MR. BEGAKIS:

10 Q. When did you record Nuestra Historia?

11 A. I don't remember.

12 Q. Who were the band members involved in the

13 recording of Nuestra Historia?

14 A. Alfonso Vargas for percussion. Jose Humberto

15 Castro, electric base. Romero Pena, bajo sexto. And

16 Domingo Torres, accordion.

17 Q. Did you have written agreements with any of the

18 band members regarding their contribution with the

19 recording of Nuestra Historia?

20 MR. LITTLEWOOD: Objection. Vague and

21 ambiguous. Lacks foundation. Calls for legal

22 conclusion.

23 MR. BERMAN: Join.

24 THE WITNESS: No.

25 ///

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1 BY MR. BEGAKIS:

2 Q. Did you pay the band members for their

3 contributions to the recording of Nuestra Historia?

4 MR. LITTLEWOOD: Same objections.

5 MR. BERMAN: Join.

6 THE WITNESS: No.

7 BY MR. BEGAKIS:

8 Q. Were the band members compensated for their

9 contributions to Nuestra Historia in the same way you

10 testified the band members were compensated for their

11 recording for their contributions to Desde la Cantina de

12 Mi Barrio, El Campesino, Corrido de Poca M, and Amigos y

13 Contreros being by way of a weekly salary?

14 MR. LITTLEWOOD: Objection. Vague and

15 ambiguous. Lacks foundation. Misstates prior

16 testimony. Calls for a legal conclusion.

17 MR. BERMAN: Join.

18 THE WITNESS: Yes. That's right.

19 BY MR. BEGAKIS:

20 Q. Where was Nuestra Historia recorded?

21 A. Morios Sound. Morios Studio.

22 Q. That's a recording studio, not a nightclub?

23 A. It's a recording studio.

24 Q. Who was the recording engineer when -- at this

25 recording studio when Nuestra Historia was recorded?

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1 A. Omar Rosales.

2 Q. Was Mr. Rosales paid for his work as a recording

3 engineer in the recording of Nuestra Historia?

4 A. Yes.

5 Q. How much?

6 A. I don't remember.

7 Q. Was there a written agreement between you and

8 Mr. Rosales for his work as the recording engineer in

9 the recording of Nuestra Historia?

10 A. No.

11 Q. Did Hyphy Music pay you to record Nuestra

12 Historia?

13 MR. BERMAN: Objection. Vague.

14 MR. LITTLEWOOD: Join.

15 THE WITNESS: No.

16 BY MR. BEGAKIS:

17 Q. Did Hyphy Music ultimately distribute Nuestra

18 Historia?

19 A. Yes.

20 Q. How did Hyphy Music acquire the rights to

21 distribute Nuestra Historia?

22 A. I gave them the rights.

23 Q. In exchange for what?

24 A. In exchange for a percentage after sales.

25 Q. What percentage?

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1 A. 75 percent.

2 Q. Was this agreement in writing?

3 A. No.

4 Q. Did Hyphy Music contribute anything else --

5 withdraw. Did Hyphy Music contribute anything to the

6 creation of Nuestra Historia.

7 MR. LITTLEWOOD: Objection. Vague and

8 ambiguous. Calls for legal conclusion.

9 THE WITNESS: No.

10 MR. BEGAKIS: I just need a five-minute

11 break. Off the record.

12 (Recess)

13 MR. BEGAKIS: Back on.

14 BY MR. BEGAKIS:

15 Q. Mr. Chavez, were all of the band members paid a

16 weekly salary?

17 MR. LITTLEWOOD: Objection. Vague as to

18 time. Lacks foundation. Assumes facts not in evidence.

19 MR. BERMAN: Join.

20 MR. BEGAKIS: Madam Interpreter, can you

21 please instruct him to put his phone away.

22 THE WITNESS: I'm going to turn it off.

23 MR. BEGAKIS: Off the record until he turns

24 it off.

25 (Recess)

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1 MR. BEGAKIS: Let's try that again.

2 BY MR. BEGAKIS:

3 Q. Were all of the band members paid a salary?

4 MR. LITTLEWOOD: Objection. Vague and

5 ambiguous as to time.

6 MR. BERMAN: Join. Again relevancy.

7 THE WITNESS: What they were paid per week.

8 MR. BEGAKIS: I'm sorry, Ms. Interpreter. I

9 didn't hear what you said. Can you repeat that.

10 THE INTERPRETER: Interpreter repeating.

11 What they were paid per week.

12 BY MR. BEGAKIS:

13 Q. Okay. So when the band was formed at that time

14 were all band members paid a salary?

15 MR. BERMAN: Objection. Relevancy.

16 MR. LITTLEWOOD: Same objection.

17 THE WITNESS: Yes. Depending on how much we

18 earned per week.

19 BY MR. BEGAKIS:

20 Q. Okay. And was that salary for each band member

21 inclusive of their services for live performances and

22 recordings?

23 MR. BERMAN: Objection. Form. Vague and

24 ambiguous. Misstates testimony. Lacks foundation and

25 relevancy.

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1 MR. LITTLEWOOD: Join. Also compound.
2 THE WITNESS: Yes.
3 BY MR. BEGAKIS:
4 Q. How was the amount calculated?
5 MR. BERMAN: Objection. Form. Vague and
6 ambiguous.
7 MR. LITTLEWOOD: Join.
8 MR. BEGAKIS: I'll withdraw.
9 BY MR. BEGAKIS:
10 Q. How was the weekly amount to each band member
11 calculated?
12 MR. BERMAN: Objection. Asked and answered.
13 Vague.
14 MR. LITTLEWOOD: Join.
15 THE WITNESS: Money was put in from what we
16 got. Money was taken out for the costs and then that
17 was what the calculation was derived from. Depending on
18 each band member, that would be their wage.
19 BY MR. BEGAKIS:
20 Q. Okay. What was the percentage of money earned
21 that was paid to each band member as their wage under
22 this purported salary?
23 MR. BERMAN: Objection. Form. Vague and
24 ambiguous. Relevancy.
25 MR. LITTLEWOOD: Join.

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1 THE WITNESS: Like I said, it depends on
2 each band member. 900. 1,000. 800. 500. It varied.
3 BY MR. BEGAKIS:
4 Q. Let's start with Alfonso Vargas. What percentage
5 of band revenues was paid to Alfonso Vargas as a salary
6 when the band was formed?
7 MR. LITTLEWOOD: Objection. Assumes facts
8 --
9 MR. BERMAN: Relevancy and mischaracterizes
10 testimony.
11 THE WITNESS: 900 a week.
12 BY MR. BEGAKIS:
13 Q. How did you come to the decision to pay \$900 a
14 week?
15 A. Because the income was good.
16 Q. Was that number based off of a particular
17 percentage of band revenue collected at any given time?
18 MR. BERMAN: Objection. Vague. Misleading.
19 Assumes facts not in evidence and relevance.
20 MR. LITTLEWOOD: Join.
21 THE WITNESS: Yes.
22 BY MR. BEGAKIS:
23 Q. What was the percentage that was used that was
24 determined that Alfonso Vargas would make \$900 a week?
25 MR. BERMAN: Objection. Form.

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1 Mischaracterizes prior testimony and asked and answered.
2 MR. LITTLEWOOD: Join.
3 THE WITNESS: It could be like a guarantee
4 after paying the people, the employees, between Alfonso,
5 Jesus and Domingo.
6 BY MR. BEGAKIS:
7 Q. So you just decided the amount of money on your
8 own?
9 A. Yes, I made the decision.
10 Q. And it wasn't based on anything other than I
11 think \$900 is what you should be paid a week?
12 MR. LITTLEWOOD: Objection. Argumentative.
13 Lacks foundation. Misstates testimony.
14 MR. BERMAN: I'm going to add relevancy.
15 THE WITNESS: We shared in three equal
16 portions at the end.
17 BY MR. BEGAKIS:
18 Q. Okay. So when the band was first formed how were
19 monies shared?
20 MR. BERMAN: Objection to form. Vague and
21 ambiguous.
22 MR. LITTLEWOOD: Join.
23 THE WITNESS: The same.
24 BY MR. BEGAKIS:
25 Q. Okay. Got it. So Alfonso Vargas and Domingo

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1 Torres shared in the revenue of the band with --
2 withdraw. At the formation of the band, you, Alfonso
3 Vargas and Domingo Torres shared equally in the revenue
4 derived from the band; correct?
5 MR. LITTLEWOOD: Objection. Calls for a
6 legal conclusion. Lacks foundation. Assumes facts not
7 in evidence.
8 MR. BERMAN: Also mischaracterizes
9 testimony. Join.
10 THE WITNESS: That's right.
11 BY MR. BEGAKIS:
12 Q. In 2013 is it true that you, Alfonso Vargas and
13 Domingo Torres shared equally in the revenue derived
14 from the band?
15 MR. BERMAN: Objection. Form. Vague and
16 ambiguous.
17 MR. LITTLEWOOD: Same objection.
18 THE WITNESS: Yes, that's right.
19 BY MR. BEGAKIS:
20 Q. In 2014 is it true that you, Alfonso Vargas and
21 Domingo Torres shared equally in the revenue derived in
22 the band?
23 MR. LITTLEWOOD: Same objections. Vague.
24 THE WITNESS: Yes, that's correct.
25 ///

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1 -- no, we're not. I'll pose my objection on the record
2 --
3 MR. BEGAKIS: Do it. Do it. Do it.
4 MR. BERMAN: You can ask again and clarify
5 and we can resolve this issue very quickly.
6 MR. BEGAKIS: I'm getting everything I need,
7 so you do whatever you want to do.
8 MR. BERMAN: I know you think you do. You
9 can ask again or we can have an ambiguity that is going
10 to cause a problem.
11 MR. SHERMAN: You're allowed to ask
12 questions. So you can clean it up on your cross.
13 MR. BEGAKIS: Exactly. He just likes to
14 interrupt me.
15 MR. BERMAN: I haven't interrupted at all
16 for this entire deposition except to the extent that we
17 have an issue with the translation. Trying to resolve
18 it without any further dispute. That's on you if you
19 want to move forward or leave the ambiguity.
20 MR. SHERMAN: No issue with the
21 translation. It's how he answered the question. He
22 said he. It's not up to the interpreter to try to
23 figure out who he was.
24 MR. BERMAN: Okay. Fine, leave the
25 ambiguity. That's fine.

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1 MR. SHERMAN: Until you fix it, I'm sure.
2 MR. BERMAN: Okay.
3 BY MR. BEGAKIS:
4 Q. Okay. So I'm going to ask it again because it
5 hasn't been answered. Mr. Chavez, how do you know that
6 Hyphy Music owes you money if you have never conducted
7 an accounting?
8 MR. BERMAN: Objection to form.
9 Mischaracterizes testimony and it's a misleading
10 question.
11 MR. LITTLEWOOD: Join.
12 THE WITNESS: Okay. It's logical. My group
13 sells every day.
14 BY MR. BEGAKIS:
15 Q. Got it. Because -- so because you think your
16 group sells music every day then you believe that Hyphy
17 Music owes you money?
18 MR. BERMAN: Objection. Asked and answered.
19 Argumentative.
20 MR. LITTLEWOOD: Join.
21 THE WITNESS: Yes.
22 BY MR. BEGAKIS:
23 Q. Is that why you did a deal to sell the same
24 rights to Yellowcake that you sold to Hyphy Music?
25 MR. LITTLEWOOD: Objection.

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1 Mischaracterizes testimony. Lacks foundation. I don't
2 believe there is any distribution agreement between my
3 client and Yellowcake.
4 THE WITNESS: Yes.
5 BY MR. BEGAKIS:
6 Q. Did you approach Yellowcake about selling rights
7 in the relevant works to them?
8 A. Could you repeat the question for me.
9 Q. Did you approach Yellowcake about selling rights
10 in the relevant works to them or did they approach you?
11 MR. BERMAN: Objection to form. Vague.
12 MR. LITTLEWOOD: Join.
13 THE WITNESS: They searched me out.
14 BY MR. BEGAKIS:
15 Q. Who searched you out?
16 A. David Garcia. David Hernandez.
17 Q. Okay. So did David Hernandez approach you first
18 or did he approach your son -- withdraw. You have a
19 son; correct?
20 A. Yes, that is right.
21 Q. What is a your son's name?
22 A. He's named the same as me.
23 Q. So would you understand what I mean if I refer to
24 your son as Chavez junior?
25 A. Yes.

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1 Q. Okay. So is Chavez junior involved in your
2 business?
3 MR. LITTLEWOOD: Objection. Vague.
4 THE WITNESS: No.
5 BY MR. BEGAKIS:
6 Q. Your son does not help you negotiate deals with
7 distributors?
8 MR. BERMAN: Objection. Vague.
9 Argumentative.
10 MR. LITTLEWOOD: Join.
11 THE WITNESS: No.
12 BY MR. BEGAKIS:
13 Q. Okay. Did Mr. Hernandez approach your son first
14 or you?
15 MR. LITTLEWOOD: Objection. Compound.
16 Assumes facts.
17 THE WITNESS: Me.
18 BY MR. BEGAKIS:
19 Q. Okay. Was your son part of the negotiations
20 between you and Yellowcake?
21 MR. BERMAN: Objection to form.
22 MR. LITTLEWOOD: Join.
23 THE WITNESS: No.
24 BY MR. BEGAKIS:
25 Q. So he was not present for any negotiations

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1 between you and David Hernandez?

2 MR. BERMAN: Note my objection to form.

3 Vague and ambiguous.

4 THE INTERPRETER: The interpreter asked the

5 witness to repeat the answer. She was not able to hear

6 it.

7 THE WITNESS: No.

8 BY MR. BEGAKIS:

9 Q. Approximately when did Mr. Hernandez initially

10 approach you about selling rights in the works at issue

11 in this case to Yellowcake?

12 MR. BERMAN: Objection to form. Vague and

13 ambiguous.

14 THE WITNESS: I don't remember but it's been

15 some time already.

16 BY MR. BEGAKIS:

17 Q. What year was it?

18 MR. BERMAN: Objection. Asked and answered.

19 THE WITNESS: In '20.

20 BY MR. BEGAKIS:

21 Q. I'm sorry, is it your testimony that he

22 approached you in 2020?

23 MR. BERMAN: Objection. Asked and answered.

24 Argumentative.

25 THE WITNESS: Yes.

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1 BY MR. BEGAKIS:

2 Q. Okay. Was that meeting in person or over the

3 phone?

4 A. By phone.

5 Q. Okay. Was anybody else on that call?

6 A. No.

7 Q. What did Mr. Hernandez say?

8 A. That he would buy from me the albums that Hyphy

9 Music had.

10 Q. How did he know that Hyphy Music had the rights

11 in those albums?

12 MR. LITTLEWOOD: Objection. Assumes facts.

13 Lacks foundation. It's vague.

14 MR. BERMAN: Mischaracterizes.

15 MR. BEGAKIS: Withdraw.

16 BY MR. BEGAKIS:

17 Q. To the best of your knowledge how did

18 Mr. Hernandez know that Hyphy Music had rights in the

19 works at issue at that point?

20 MR. LITTLEWOOD: Objection. Lacks

21 foundation. Vague and ambiguous. Calls for a legal

22 conclusion.

23 MR. BERMAN: Also speculative and

24 mischaracterizes prior testimony and if it wasn't

25 already said, assuming facts not in evidence.

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1 THE WITNESS: I believe he worked for Hyphy.

2 BY MR. BEGAKIS:

3 Q. Did he tell you he worked for Hyphy?

4 A. No.

5 Q. How much did he offer to pay you for the works

6 that Hyphy already had rights to?

7 MR. LITTLEWOOD: Objection. Lacks

8 foundation. Assumes facts not in evidence.

9 Argumentative. Vague.

10 MR. BERMAN: Also states a legal confusion

11 -- legal conclusion.

12 MR. LITTLEWOOD: Join.

13 THE WITNESS: \$500,000.

14 BY MR. BEGAKIS:

15 Q. Did he offer anything else of value in exchange

16 for rights in the works that Hyphy already had the right

17 to distribute?

18 MR. LITTLEWOOD: Objection. Lacks

19 foundation. Calls for speculation. Assumes facts not

20 no evidence.

21 MR. BERMAN: I want to add vague and

22 ambiguous.

23 THE WITNESS: No.

24 BY MR. BEGAKIS:

25 Q. So Yellowcake didn't offer to pay for your legal

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1 fees in defense of any action that would arise from your

2 sale of rights in the relevant works to Yellowcake?

3 A. No.

4 Q. Is Yellowcake presently paying for the cost of

5 your defense in this dispute?

6 A. No.

7 Q. When Mr. Hernandez approached you and said that

8 he wanted to buy rights in the works that Hyphy was

9 already distributing, did you tell him that Hyphy was

10 already distributing those rights?

11 MR. LITTLEWOOD: Objection. Vague as to

12 time. Lacks foundation. Mischaracterizes testimony.

13 Assumes facts not in evidence.

14 MR. BERMAN: Also based on which one? I

15 join in counsel's prior objections.

16 THE WITNESS: Yes.

17 BY MR. BEGAKIS:

18 Q. What was his response to that?

19 A. He didn't care.

20 Q. Did you care that you were about to do a deal to

21 sell rights to a third party that you had already sold

22 to Hyphy Music?

23 MR. LITTLEWOOD: Objection. Argumentative.

24 Lacks foundation. Calls for speculation. Assumes facts

25 not in evidence.